

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NATHAN HOYE,)
)
)
 Plaintiff,)
 v.) Civil Action No. 3:24-265
) Judge Nora Barry Fischer
) Magistrate Judge Christopher B. Brown
 DEPT. OF CORRECTIONS,)
 SCI SOMERSET,)
)
 Defendants.)

ORDER OF COURT

AND NOW, this 16th day of January, 2025, after a Report and Recommendation was filed by Magistrate Judge Christopher B. Brown on December 10, 2024, (Docket No. 8), recommending that Plaintiff Nathan Hoye's Complaint be dismissed as frivolous and for failure to state a claim pursuant to the screening provisions of 28 U.S.C. § 1915(e)(2), that leave to amend be denied, as futile, and that his corresponding motion for leave to proceed in forma pauperis be denied, as moot, and, as a non-electronically registered party, Plaintiff was provided until December 30, 2024 to file written objections thereto, and the Court having received documents marked Correspondence to the Court and Objections by the Clerk which are postmarked on or before December 30, 2024, (Docket Nos. 14, 15, 16), which the Court construes collectively as his Objections to the Report and Recommendation but nonetheless raise irrelevant matters and/or reiterate the claims set forth in the Complaint which the Magistrate Judge has deemed frivolous, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, (Docket No. 8), which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Plaintiff's Objections [14], [15], [16] are OVERRULED;

IT IS FURTHER ORDERED that Plaintiff's Complaint [1] is dismissed, with prejudice, as frivolous and for failure to state a claim pursuant to the screening provisions of 28 U.S.C. § 1915(e)(2) and that leave to amend is denied, as futile;

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Proceed In Forma Pauperis [5] is DENIED, as moot;

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case CLOSED; and FINALLY, IT IS ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if Plaintiff wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Pittsburgh, PA, within thirty (30) days.

s/ Nora Barry Fischer
Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: Magistrate Judge Christopher B. Brown

cc: NATHAN HOYE
NX8604
SCI SOMERSET
1590 Walters Mill Road
Somerset, PA 15510-0001
(first class mail)